

Date: January 10, 2007

Item No.

2

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report Prepared by: Kristine Lowe

Public Hearing: Yes: ☒ No: ☐

Notices Mailed On: 12/29/06 Published On: 12/28/06 Posted On: 12/28/06

TITLE: **MINOR TENTATIVE PARCEL MAP NO. MI2006-4**

Proposal: A request to subdivide an existing 283,140 square foot lot into four parcels. The project consists of three buildings, each treated as a separate parcel with the fourth parcel being a common area. The proposal includes converting the three buildings into thirteen (13) condominium ownership units.

Location: 1221 California Circle

APN: 022-38-008

RECOMMENDATION: **Approve with Conditions**

Applicant: Stonewood Dixon, LLC, 3636 Birch street, Suite 180, Newport Beach, CA 92660

Property Owner: Stonewood Dixon, LLC

Previous Action(s): "S" Zone Approval, PUD-31, "S" Zone Amendments for signs, roof screens, exterior storage for nitrogen tanks, modified entry doors, walkways and handicapped ramps. "S" Zone Amendment for Truck door and trash enclosures approved 1/21/1988 resulting in a loss of 28 parking spaces to the 335-space parking area.

General Plan Designation: Industrial Park

Present Zoning: Industrial Park (MP)

Environmental: Exempt pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA)

Existing Land Use: Research & Development, Office, Manufacturing, Warehousing, and Distribution

Agenda Sent To: Applicant/Owner

Attachments: Site Plan

PJ: 3210

BACKGROUND

On November 3, 1983, the Planning Commission approved an "S" Zone Application for construction of three industrial buildings (Cadillac-Fairview Business Park). Subsequent "S" Zone approvals include an Amendment approved January 21, 1988 resulting in a loss of 28 parking spaces to 335-space parking area. Additional approvals include "S" Zone Approval amendments for signs, and minor exterior modifications including roof screens, exterior storage for nitrogen tanks, modified entry doors, walkways and handicapped ramps. On December 13, 2006, the Planning Commission continued this item to the January 10, 2007 hearing.

Site Description

The 6.51-acre parcel is bounded by California Circle to the north and Cadillac Court to the west of the project site. Fairview Way curves along the eastern and southern boundary. Currently, the project site is zoned (MP) Industrial Park. The surrounding land uses include light industrial and R&D uses. Twelve new industrial building are currently under construction south of Fairview Way.



THE APPLICATION

The application is submitted pursuant to Chapter XI-1 (Subdivisions), Section 4 (Tentative Map) of the Milpitas Municipal Code.

Project Description

The applicant is requesting approval for a tentative parcel map to subdivide a 6.51-acre parcel to create four parcels. The project consists of three buildings: Building 1 is a 0.94-acre parcel (Parcel 1), Building 2 is a 0.72-acre parcel (Parcel 2) and Building 3 is a 0.59-acre parcel (Parcel 3). Parcel 4 encompasses the remainder of the site (4.26 acres) and serves as a common area for the three parcels. The proposal includes converting the three buildings into thirteen (13) condominium ownership units for the purpose of providing businesses the opportunity to own and occupy or lease space within the buildings.

Conformance with the General Plan

The project conforms to the General Plan in terms of land use. The proposed use does not conflict with any General Plan Principles and Policies, and is consistent with the following General Plan Implementing Policies.

Implementing Policy 2.a-I-3 Encourage economic pursuits, which will strengthen and promote development through stability and balance.

Implementing Policy 2.a-I-7 Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.

The proposed project will provide for opportunities to expand employment, promote business retention, and encourage economic pursuits that strengthen and promote development through stability and balance. By subdividing these parcels into separate parcels for each building, the property owner is able to foster individual business ownership.

Conformance with the Zoning Ordinance

The project does not conflict with the Zoning Ordinance and is in conformance in terms of land use and development standards. No change in land use is proposed as part of the tentative parcel map application and any future land uses would be subject to the permitted and conditional uses allowed in the Industrial Park (MP) District.

ISSUES

Parking

Since the construction of the three industrial buildings in 1984, there have been subsequent parking modifications resulting in a reduction from 335 parking spaces to 307 parking spaces. Specific changes include an "S" Zone Amendment granted in January 1988 to construct a new truck loading dock and trash enclosures for Sun Microsystems, resulting in a loss of 28 spaces. Because the building was converted to warehousing and distribution, it utilized a parking ratio of 1 space per 1,500 square feet of gross floor area and therefore 249 spaces were required for the site.

This project still complies with the City's off-site parking requirements in that 303 spaces are required for the site. The gross floor area for the three buildings is 91,094 square feet and the

City's requirement for research and development facilities require 1 space per 300 square feet gross floor area (91,094 s.f. / 300 s.f. = 303 parking spaces).

Landscaping

The Public Works Department authorized the removal of two existing protected trees located at 1221 California Circle (adjacent to Building 1). Upon a recent visit to the site, it was seen that three additional trees were removed without authorization from the City. Under Section 9 of the City's Heritage Tree Ordinance, each tree unlawfully removed shall be replaced with one or more trees, as determined by the Public Works Department, that will provide comparable economic, aesthetic or environmental value at the site. The applicant is actively working with the Public Works Department to replace the trees.

Conformance with the State Subdivision Map Act and Subdivision Ordinance

The Subdivision Map Act defers the approval of minor tentative parcel map applications to local ordinances (Article 5, Section 66463). The City's Subdivision Ordinance requires design and improvement consistency with the General Plan. As previously mentioned, the proposed Tentative Parcel Maps are in conformance with the General Plan.

Conformance with CEQA

The project is categorically exempt from further environmental review pursuant to Class 15, Section 15315 (Minor Land Divisions) of the Environmental Quality Act (CEQA) guidelines. This section exempts such projects involving the division of property in urbanized area into four or fewer parcels when the division is in conformance with the General Plan and zoning. As discussed above, the proposed project is located in a developed, urbanized area and conforms to the General Plan and Zoning Ordinance.

Neighborhood / Community Impact

The proposed subdivision is expected to have a positive community impact by promoting business retention and foster individual business ownership. Based on this, staff concludes that this proposal will not have a negative community impact because the project is located within an existing industrial area and a tentative map for 1100 Cadillac Court (located south of the project site on Fairview Way) was approved January 2005.

RECOMMENDATION

Close the public hearing. Approve Minor Tentative Parcel Map No. MI2006-4 based on the findings and special conditions listed below:

FINDINGS

1. The proposed map is consistent with applicable general and specific plans as specified in Section 65451;
2. That the design or improvement of the proposed subdivision is consistent with applicable general plan;
3. That the site is physically suitable for the type of development because it is a level site;
4. That the site is physically suitable for the proposed density of development because it is a level site;
5. That the design of the subdivision or the proposed improvements will not be likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat because the four lots already accommodates the three buildings and common areas;
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems because the project is categorically exempt pursuant to Section 15315 of the California Environmental Quality Act (CEQA);
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision because the roadways, and easements were reviewed and approved by the City of Milpitas Engineering Department.

SPECIAL CONDITIONS

1. This approval is for a Minor Tentative Parcel Map No. MI2006-4 to create four separate parcels located on 1221 California Circle (APN: 022-38-008) as depicted on the Tentative Parcel Map dated January 10, 2007, and as amended by the conditions of approval and for the approval of up to 13 condominiums in the three buildings within the property described on the Tentative Map. (P)
2. The proposed project shall be conducted in compliance with all applicable federal, state and local regulations. (P)
3. If, at the time of recordation of Final Map, there is a project job account past due balance to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)

4. Prior to parcel map approval, the developer shall obtain design approval and bond for all necessary public improvements along Fairview Way, Cadillac Court and California Circle including but not limited to installation of ADA approved ramps and removing and replacing damaged curb, gutter, sidewalk, and pavement adjacent to the project site. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. (E)
5. Prior to parcel map approval, the developer shall record a reciprocal maintenance agreement(s) or other document(s) such as conditions, covenants and restrictions concurrent with the recordation of the parcel map. The agreements or documents shall provide for the use of lands and maintenance of all private utility facilities including but not limited to, storm drainage, spills clean up, sewer, water, access, parking, fire services, irrigation (recycled water), solid waste services, landscaping, walls and other common area facilities. The reciprocal maintenance agreement or documents shall state the responsible party for the maintenance of the common facilities and shall have assessment power. The agreements and documents shall be submitted for review and approval by the City. (E)
6. The tentative map and the subsequent parcel map shall designate all common lots and easements as lettered lots or lettered easements. (E)
7. Show on the tentative map how the site will drain. Drainage facilities outletting sump conditions shall be designed to convey the flows and protect all buildings. (E)
8. The parcel map shall be tied to the North America Datum of 1983 (NAD 83), California Coordinate of 1983, zone 3. Prior to recordation of any parcel map, the developer shall submit to the City a digital format of the final map (AutoCAD format). (E)
9. The developer shall dedicate on the parcel map necessary sidewalk easements, as shown on the Engineering exhibit "T" dated 9/28/2006. (E)
10. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas. (E)
11. Prior to occupancy permit issuance, if the existing enclosures are not sufficient or adequate to serve the proposed subdivision, applicant/property owner association shall construct a new trash enclosure or expand the existing enclosure to accommodate the required number

of bins needed to serve the proposed subdivision. The proposed enclosure shall be designed per the Development Guidelines for Solid Waste Services and enclosure drains must discharge to sanitary sewer line. City review/approval is required prior to construction of the enclosure. (E)

12. Applicant/property owners association shall be responsible for the trash collection and recycling services account. Prior to occupancy permit issuance, the applicant shall submit evidence to the City that the following minimum refuse and recycling services have been subscribed with Allied Waste Services/BFI for commercial services:

- A. Maintain an adequate level of service for trash collection.
- B. Maintain an adequate level of recycling collection.

After the applicant has started its business, the applicant shall contact Allied Waste Services/BFI commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234, x-264. (E)

13. If the existing services (water, sewer and storm) are not adequately sized to serve the proposed development, plans showing new services must be submitted and approved prior to building permit issuance. (E)
14. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)
15. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
16. It is the responsibility of the developer to obtain any necessary permits or approvals from affected agencies or private entities. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
17. Prior to parcel map recordation, developer must pay all applicable development fees, including but not limited to, plan check and inspection deposit. (E)

18. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
19. Make changes as noted on Engineering Services Exhibit "T", dated 9/28/2006, and submit a Mylar of the revised tentative map to the Planning Division within three weeks of this tentative map approval. No application for the review of the parcel map or improvement plans will be accepted until this condition is satisfied. (E)
20. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in A Special Flood Hazard Area, Zone AH. The zone designation is given for information only. (E)

(P) Planning Division

(E) Engineering Division

Planning Commission Date: January 10, 2007

Item No.

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MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report Prepared by: Cindy Hom

Public Hearing: Yes: X No:

Notices Mailed On: 12/29/06

Published On: 12/28/06

Posted On: 12/29/06

TITLE: **USE PERMIT NO. UP2006-26**

Proposal: A request to locate a 1,332 square foot coffee house in the newly constructed 11,000 sq. ft. office building and 5,000 sq. ft. restaurant building.

Location: 752 E. Calaveras Boulevard

APN : 086-29-079

RECOMMENDATION: **Approve with conditions**

Applicant: Calvin Nguyen, 1340 Onondaga Ct., Fremont, CA 94539

Property Owner: Sam and Judy Jung, 756 Anacapa Court, Milpitas, CA 95035

Previous Action(s): S-Zone Approval, Variance, Use Permit,

Environmental Info: Categorically exempt from CEQA pursuant to 15301(Existing Facilities)

General Plan Designation: Industrial Park

Present Zoning: Industrial Park (MP-S), with an S-Zone overlay

Existing Land Use: Multi-tenant commercial building

Agenda Sent To: Applicant and Owner as noted above

Attachments:

- Site Plans
- Applicant's letter of description
- Photos of other existing It's A Grind Coffee Houses

PJ# 2466

BACKGROUND

In December 1978, the Planning Commission approved a 7,400 square foot restaurant at the southeast corner of South Hillview Drive and East Calaveras Boulevard. Subsequent approvals included an S-Zone approval amendment and use permit amendment for an expansion of the restaurant in January 1993. In October 2002, the building was partially destroyed by a fire.

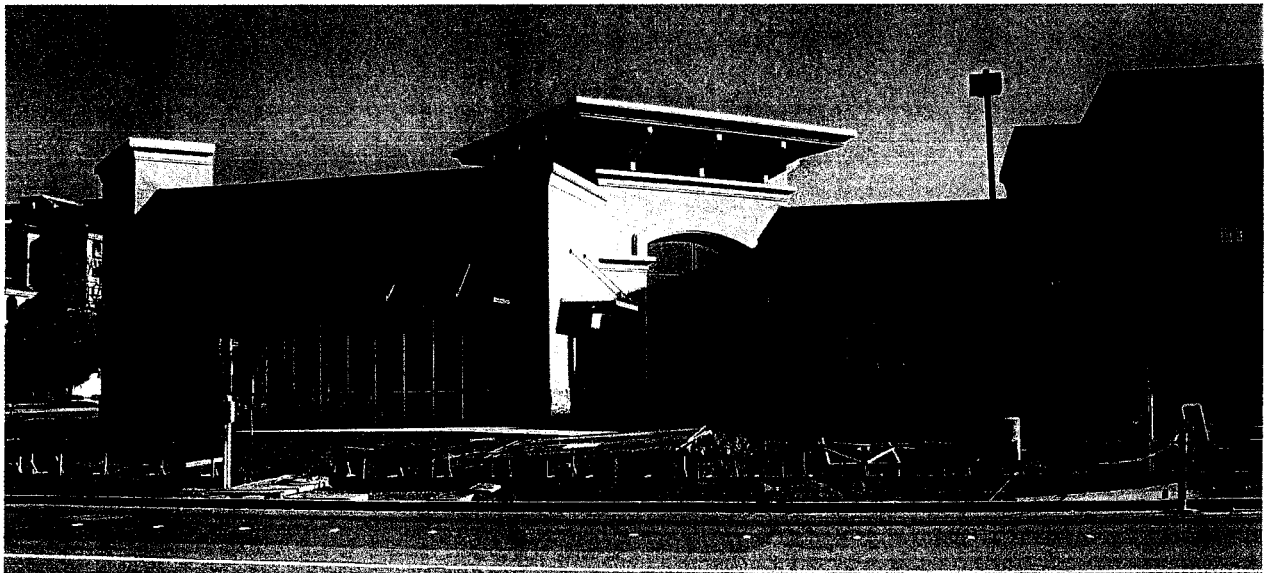
In 2003, the Planning Commission approved an "S" Zone, Variance, and Use Permit to redevelop the site with a 11,000 square foot, two-story professional office building and 5,000 square foot restaurant.

To date, the site improvements and the building shell have been constructed. Ongoing construction includes the installation of landscaping and minor interior improvements.

SITE DESCRIPTION

The Project is sited on a 1.38 acre site. The rectangular lot extends north to south on the east side of South Hillview Drive. The subject property is bordered by East Calaveras Boulevard on the north, Hillview Drive on the west, Los Coches Drive on the south and Berryessa Creek on the east. Surrounding uses include commercial uses to the east and north, industrial uses to the south and banks and offices to the west.

As shown in the photo, It's A Grind Coffee House will be located in the corner tenant space shown at the forefront of the photo.



APPLICATION

The applicant is requesting approval of a Use Permit for a 1,332 square foot coffee house with ten indoor seats, pursuant to Section 35.04-9 (restaurants) and Section 57 (Use Permits) of the Milpitas Zoning Ordinance.

PROJECT DESCRIPTION

Floor Plan

The proposed layout consists of four tables and ten seats that are positioned around the 20-foot service counter and drink preparation area. Located at the rear are a utility/storage area and a restroom towards the southern end of tenant space. A decorative hearth that is located near the northeast entrance enhances the seating area. Provided in the attachments are photos of other

"It's A Grind" establishments. The purpose of the photos is to provide the Planning Commission with a visual concept of the business.

Hours of operation

The applicant proposes business hours of 6:00am to 10:00pm seven days a week.

Site Layout and Access

As constructed, the site layout has two entrances, both off of S. Hillview Drive. One access point will be closer to the southern end of the site and the other will be at about the midpoint of the site. The buildings will be located at the northeast corner of the site, close to E. Calaveras Boulevard. The parking will be located at the west and south ends of the site. Landscaping is proposed throughout the site. A pedestrian access point is located off the corner of S. Hillview Drive.

Parking

The site provides 82 parking spaces throughout the site. A more detailed discussion is provided later in the staff report.

Building Architecture, Colors, and Materials

The buildings are of a modern architecture with a flat roof and parapet. The building exterior will have a painted cement plaster finish with cornice elements along the tops of the buildings, foam moldings, metal reveals, accent tiles and a stone veneer base.

While the buildings are to be connected, they appear as two separate buildings. The restaurant building is in an "L" shape. The portion that fronts E. Calaveras Boulevard has two vertical elements separated by a curved wall that curves outward to the street. The building has a row of windows on the north and east elevations with a metal awning and a larger vertical element over the main entrance off of S. Hillview Drive.

Landscaping

As mentioned earlier in the staff report, the landscaping has not been installed. As part of the "S" Zone approval, the site will include 47 new trees throughout the site and accent landscaping at each driveway and at the corner of Calaveras and Hillview as well as landscape areas within the parking lot that can accommodate trees and stormwater runoff.

Signage

No signage is proposed with this application. Any proposed signage will adhere to an approved sign program for the center. This sign program will be brought forward to the Planning Commission at a later date.

ISSUES

Previous Use Permit Approval

The site was granted with a Use Permit approval for 5,000 square foot restaurant with a maximum of 123 seats. However, the space is being divided into three smaller tenant spaces in which each space will have its own address. As a result, it required that the applicant to obtain its own use permit. Staff also received another request to locate another restaurant that will come

before the Planning Commission for review in the near future. It is unknown what the third tenant space will be use for at this time.

Parking

The site currently provides 82 parking spaces. The site was approved and developed based on the parking demand shown below:

Use	Square feet/Chairs	Ratio	Parking Required
Office – 1 st floor	6,150	1 per 200 <i>net</i> sf	24
Office – 2 nd floor	4,550	1 per 400 <i>gross</i> sf	11
Restaurant – seats, including waiting area	123	1 per 3 seats, plus 10% for employees	45
Restaurant – take out area	98	1 for every 50 square feet	2
		Total Required	82
		Parking Provided	82

The applicant is proposing (10) seats and 50 square feet for ordering/take out which requires (6) parking spaces as demonstrated in the table below:

Use	Square feet/Chairs	Ratio	Parking Required
Restaurant – seats, including waiting area	10	1 per 2.5 seats, plus 10% for employees	5
Restaurant – take out area	50	1 for every 50 square feet	1
		Total Required	6
		Parking Allocated for Restaurant use	45
		Excess parking stalls remaining for restaurant uses	39

The new shell buildings are not occupied, however, any new occupants will be reviewed at the time of permits to ensure zoning and parking requirements are met.

The proposed use will not negatively impact parking as demonstrated in the table above. Although there may be future requests to locate restaurants at the center, they will be limited to 5,000 square feet of restaurant space and 123 seats.

Trash/Recycling Enclosure

When the office and restaurant buildings were approved, the approval included trash enclosures that would be adequate to serve the site. The Utilities Division reviewed the proposal and determined that there are adequate solid waste facilities to accommodate the new restaurant.

Use Permit

Any approval of a Use Permit or Use Permit Amendment requires that the Planning Commission make the following findings:

1. The proposed use is consistent with the Milpitas Zoning Ordinance.
2. The proposed use is consistent with the Milpitas General Plan.
3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The following sections explain how these findings can be made for the proposed project, as conditioned.

Conformance with the General Plan

The proposed Use Permit is consistent with the Industrial Park land use designation and following sections of the General Plan.

Implementing Policies:

2.a-I-3 which encourages economic pursuits which will strengthen and promote development through stability and balance. The proposed coffee house would be a complementary land use that can serve the industrial and professional offices as well as the nearby commercial uses. It is also within walking distance for Sinclair Horizon residents.

2.a-I-6 which encourages a balanced economic base. The proposed coffee house would add vitality to the center by providing a service that accommodates surrounding businesses.

Conformance with the Zoning Ordinance

The proposed restaurant is a conditional use in the Industrial Park Zoning District (MP). As proposed, the Project will not affect development standards for setbacks, FAR, height, landscaping or parking. The proposed coffee house will occupy an existing tenant space and require interior improvements.

Neighborhood/Community Impact

This proposed project is expected to have a positive community impact by improving one corner of a key intersection within the City. It will enhance the experience of traveling along E. Calaveras Boulevard. The coffee house is in close proximity to other commercial and hotel uses, and will be a complementary use. With the provision of a garbage enclosure and the lack of adjacent residential uses, staff concludes that this project will not have a negative community impact.

CONFORMANCE WITH CEQA

The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 ("Existing Facilities" – interior alterations) of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION

Close the Public Hearing. Approve Use Permit No. UP2006-26 based on the Findings and Special Conditions of Approval listed below:

FINDINGS

1. The project is consistent with the Industrial Park designation and Milpitas General Plan in that it promotes a stable and harmonious development at a prominent intersection.
2. The proposed development is consistent with the City of Milpitas Zoning Ordinance in terms of land use for the Industrial Park zoning district. The proposed restaurant is a conditional use in the Industrial Park zone.
3. The project is not anticipated to result in a negative community impact as restaurants are allowed with appropriate conditions within the Industrial park Zoning District.
4. No adverse parking impacts are anticipated with this use because the total number of proposed parking was shown to be adequate per the parking analysis.
5. As conditioned, the proposed restaurant within an office development will not be detrimental or injurious to the public health, safety, and general welfare to the surrounding community because the proposed use is a complementary land use that will not generate more traffic, generate detestable odors, and has existing garbage facilities.

SPECIAL CONDITIONS FROM PLANNING DIVISION

1. Use Permit No. P-UP2006-26 is for an approximate 1,332 square foot coffee house with 10 seats. Any addition of seating, take-out area, entertainment uses, customer waiting area or change in nature of the operation shall require review and approval by the Planning Commission of an amendment to this Use Permit. Minor changes, as per Sec. 42-10-2 of the Milpitas Zoning Ordinance, to approved plans may be approved by the Planning Commission Subcommittee or Planning Division staff. (P)
2. These uses shall be conducted in compliance with all appropriate local, state and federal laws and regulations. (P)
3. Building permit plans shall show a sign measuring at least 8½ inches by 11 inches, with a lettering height of at least 3 inches, shall be placed in a conspicuous location near the restaurant front entrance stating "Maximum seating: 10, as per Use Permit No. UP2006-26 granted by the Planning Commission on January 10, 2006." (P)
4. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans for the screening of this equipment and/or line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved

as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles. (P)

5. Prior to building permit issuance, the applicant shall submit to the Planning Division a program assigning restaurant staff responsibility for complying with the following guidelines. The restaurant shall adhere to the following guidelines in perpetuity: (P)
 - a) Keep garbage dumpsters clean inside and out; replace very dirty dumpsters with new, clean ones.
 - b) Double or triple bag waste to prevent leaking.
 - c) Place, do not drop or throw, waste-filled bags, to prevent leaking.
 - d) Keep the ground under and around the garbage dumpsters swept.
 - e) Sprinkle the ground lightly after sweeping with a mixture of water and a little bleach.
6. The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the compactor and any other procedures that would assist the business in complying with all State and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). Prior to issuance of a certificate of occupancy, the business owner shall submit an outline of the format and number of training sessions to the Planning Division to address training in preparation for opening, for new employees, and for annual recurring training. (P)
7. Washing of containers and equipment shall be conducted in the kitchen area so that wash water may drain into the sanitary sewer. (P)
8. Tenant signage is not included with this approval and shall be subject to the approved sign program requirements. (P)
9. Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, applicant / property owner shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, applicant / property owner shall subscribe to and pay for solid waste services rendered. Prior to occupancy permit issuance (start of operation), the applicant shall submit evidence to the City that a minimum level of refuse service has been secured using a Service Agreement with Allied Waste Services (formally BFI) for commercial services to maintain an adequate level of service for trash and recycling collection. After the applicant has started its business, the applicant shall contact Allied Waste Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234. (E)
10. The developer shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to Building

Permit issuance. Contact the Land Development Section at (408) 586-3329 to obtain the form(s). (E)

11. To minimize public contact of the recycled irrigation water, Title 22 of the California Code of Regulations and Milpitas recycled water guidelines requires that outdoor eating areas must be protected from overspray or wind drift of irrigation water. Use of recycled water shall be limited to irrigation purposes and shall not be used for washing of eating areas, walkways, pavements, and any other uncontrolled access areas. (E)
12. It is the responsibility of the developer to obtain any necessary encroachment permits or approvals from affected agencies or private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
13. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to plan check and inspection deposit, and 2.5% building permit automation fee. (E)
14. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
15. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "X". (E)

(P) – Planning Division

(E) – Engineering Division

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1) OWNER: STONEWOOD DRYEN, LLC
3636 BRICH STREET, SUITE 180
NEWPORT BEACH, CA 92660
PHONE (949) 250-9100

2) SUBMITTER: JIM MOORE
JIM MOORE PROPERTIES
3636 BRICH STREET, SUITE 180
NEWPORT BEACH, CA 92660
PHONE (949) 250-9100

3) ENGINEER: MR. PARRY SCAMUTT
SCAMUTT ENGINEERS & SURVEYORS
3350 SCOTT BULLVAUER, BUILDING 21
SANTA CLARA, CA 95054 (408) 771-6865

- 4) EXISTING USE: OFFICE
- 5) PROPOSED USE: OFFICE
- 6) GENERAL PLAN: INDUSTRIAL PARK
- 7) APPLICATION # 10-1008-4
- 8) EXISTING ZONING: MP-5 INDUSTRIAL PARK
- 9) ALL SETBACKS ARE APPROXIMATE
- 10) ALL DISTANCES ARE APPROXIMATE
- 11) CONTOUR LINES PREPARED BY K&E & WHIGHT.
- 12) PROPOSED NUMBER OF LOTS: 4

- 4) EXISTING USE: OFFICE
- 5) PROPOSED USE: OFFICE
- 6) GENERAL PLAN: INDUSTRIAL PARK
- 7) APPLICATION # 01-008-4
- 8) EXISTING ZONING: MP-S INDUSTRIAL PARK
- 9) PROPOSED ZONING: MP-S INDUSTRIAL PARK
- 10) ALL DISTANCES ARE APPROXIMATE.
- 11) CONTOUR LINES PREPARED BY KIER & WRIGHT.
- 12) PROPOSED NUMBER OF LOTS: 4
- 13) PROPOSED NUMBER OF UNITS 13
- 14) TOTAL AREA: 6.5 ± ACRES
- 15) MINIMUM LOT SIZE: 0.59 ± ACRES
- 16) WATER LOT: 0 ACRES
- 17) SEWER: CITY OF MUDITAS
- 18) GAS: CITY OF MUDITAS
- 19) TELEPHONE: PACIFIC BELL
- 20) CABLE TV: COMCAST
- 21) ANY PROPOSED WATER, SANITARY SEWER AND STORM DRAIN FACILITIES WILL BE CONSTRUCTED AS PER CITY OF MUDITAS STANDARDS.
- 22) DUTAIL: CITY OF MUDITAS DUTAIL
- 23) EXISTING WELLS ON SITE: NONE
- 24) EXISTING FOR NECESSARY RECIPROCAL ACCESS AND PARKING AND PRIVATE UTILITIES WILL BE CREATED BY THE APPROPRIATE AGENCIES. CONDITIONS AND RESTRICTIONS RECORDED CONCURRENTLY WITH THIS MAP.
- 25) DEDICATE PARCEL "A" TO THE CITY OF MUDITAS FOR EMERGENCY VEHICLE ACCESS. EASEMENT PURPOSES.

LEGEND

DISTINCTIVE BOUNDARY

CALIFORNIA

TENTATIVE PARCEL MAP
A SUBDIVISION FOR CONDOMINIUM PURP
CALIFORNIA CIRCE / FAIRVIEW WAY
AS

DATE	JUNE, 2006
SCALE	1" = 40'
DESIGNER	RMA
DRAWN BY	RMA
PROJECT NO.	A06109
SHEET	1 OF 1 SHEETS

PREPARED BY OR UNDER THE SUPERVISION OF
JIMMY R. VIGIL, L.S. 6256
LICENSE EXPIRES: 06-30-06

USER: roma ya I:\PROJECTS\408109\DWG\SURVEY\TENTATIVE MAP\C-TENTATIVE MAP.dwg AUGUST 22, 2006 11:07 AM

ABBREVIATIONS

BV	BLOWOFF VALVE
BW	BACK OF WALK
CB	CATCH BASIN
CC	CONCRETE
CCG	CONCRETE
CD	DROP INLET
CE	ELECTRIC ROOM
CF	EMERGENCY VEHICLE ACCESS EASEMENT
E.V.E.	EMERGENCY VEHICLE ACCESS EASEMENT
FO	FIBER OPTIC
FW	WATER FLOW
GA	HANDICAP
GV	INVERT ELEVATION
INV	LANDSCAPE MAINTENANCE EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
MP	NO PARKING
P.C.	POINT ON CURVE
P.O.C.	POINT OF CURVE
P.U.E.	PUBLIC UTILITY EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
RD	STORM DRAIN
SD	STORM DRAIN
SM	STREET LIGHT MANHOLE
SMH	STREET LIGHT BOX
SS	SANITARY SEWER
SSH	SANITARY SEWER
SSH	TELEPHONE BOX
SSH	TELEPHONE BOX
TC	TOP OF CURB
TH	TELEPHONE MANHOLE
TH	TELEPHONE MANHOLE
WB	WATER BOX
WM	WATER METER
WV	WATER VALVE

LINE	LINE	BEARING	DISTANCE
L1	N	61°58'35" W	33.87'
L2	N	08°05'30" W	32.86'
L3	S	08°05'30" W	33.03'
L4	N	08°01'37" W	23.54'
L5	N	05°06'36" W	8.20'
L6	N	05°06'36" W	8.16'
L7	N	39°01'27" E	22.23'
L8	N	08°01'17" E	22.23'
L9	S	37°37'46" E	27.72'
L10	S	81°37'31" E	9.63'
L11	N	57°03'33" W	13.95'
L12	N	08°01'30" W	9.57'
L13	S	08°01'30" W	9.57'
L14	S	36°44'34" W	13.74'
L15	S	81°37'31" E	9.80'
L16	S	81°35'39" E	10.02'
L17	S	81°35'39" E	10.02'
L18	S	36°44'34" W	13.14'
L19	N	82°05'52" E	10.11'
L20	N	82°05'52" E	28.00'
L21	S	82°22'19" W	10.21'
L22	N	S 53°08'28" W	78.92'

CURVE	RADIUS	DELTA	LENGTH
C1	300.00'	34°06'55"	178.63'

Scale 1" = 40 ft

LANDS OF TRINET CORPORATE
REALTY/IR AND ISTAR CTLL

North
LANDS OF
COMMERCIAL
MORTGAGE
CORP. AND
LASALLE
NATIONAL
ASSOCIATION

PARCEL ③
0.59 ± ACRES

PARCEL "A"
COMMON PARCEL
E.V.A.E.

PARCEL 1
0.94 ± ACRES

PARCEL 2
0.72 ± ACRES

LANDS OF PROPERTY TAX PARTNERS
AND 100 CADILLAC CT. LLC

DATE _____